



Massachusetts SIP submittal Dated September 14, 2006
Docket #428; Massachusetts Register Number: 930; Date: 9/14/2001

<div style="text-align: center;">  <p>THE COMMONWEALTH OF MASSACHUSETTS Office of the Secretary of State</p> </div> <p>Regulation Filing To be completed by filing agency</p> <p>CHAPTER NUMBER: <u>310 CMR 7.02</u></p> <p>CHAPTER TITLE: <u>Air Pollution Control Regulations</u></p> <p>AGENCY: <u>Department of Environmental Protection</u></p> <p>SUMMARY OF REGULATION <i>State the general requirements and purposes of this regulation:</i> The amendments set performance standards for owners of new boilers with an energy input capacity between 10 and 40 million Btu per hour and requires initial and annual certification to demonstrate compliance under the Environmental Results Program. M.G.L. c. 21A, s. 2 through 16 M.G.L. c. 21A, s. 28 through 53 M.G.L. c. 21A, s. 142A through 142M</p> <p>REGULATORY AUTHORITY: <u>M.G.L. c. 21A, s. 28 through 53</u></p> <p>AGENCY CONTACT: <u>Paul Reilly</u> PHONE: <u>617/536-1097</u></p> <p>ADDRESS: <u>DEP, One Winter Street, Boston, MA 02108</u></p> <p>Compliance with M.G.L. c. 30A</p> <p>EMERGENCY ADOPTION <i>If this regulation is adopted as an emergency regulation, state the nature of the emergency.</i> <u>N/A</u></p> <p>PRIOR NOTIFICATION AND/OR APPROVAL <i>If prior notification to and/or approval of the Governor, legislature or others was required, list each notification, approval and date, including notice to the Local Government Advisory Commission.</i> <u>N/A</u></p> <p>PUBLIC REVIEW <i>Was notice of the hearing or comment period filed with the Secretary of State published in appropriate newspapers and sent to persons to whom specific notice must be given at least 21 days prior to such hearing or comment period?</i> Yes <input checked="" type="checkbox"/> Date of public hearing or comment period: <u>Hearings-September 7 & 8, 2000</u> Comment period closed-Sept. 18, 2000</p>	<p><i>Estimate the fiscal effect on the public and private sectors:</i></p> <p>For the first and second years: <u>Adoption of these amendments will allow state and private sectors to avoid plan application fees.</u></p> <p>For the first five years: <u>No fiscal effect</u></p> <p>No fiscal effect</p> <p>SMALL BUSINESS IMPACT <i>State the impact of this regulation on small business. Include a description of reporting, record keeping and other compliance requirements as well as the appropriateness of performance versus design standards and whether this regulation duplicates or conflicts with any other regulation. If the purpose of this regulation is to set rates for the state this section does not apply.</i> It is unlikely that small business will be subject to the amendments. Those that are subject to the amendments will avoid plan application fees.</p> <p>CODE OF MASSACHUSETTS REGULATIONS INDEX <i>List key subjects entries that are relevant to this regulation:</i> Boiler, Environmental Results Program (ERP)</p> <p>FROMULGATION <i>State the action taken by this regulation and its effect on existing provisions of the Code of Massachusetts Regulations (CMR) to repeal, replace or amend. List by CMR number.</i> Adds requirements for new boilers with a firing capacity of 10 - 40 million Btu per hour in 310 CMR 7.26, and amends 310 CMR 7.02 and 70.00.</p> <p>ATTESTATION <i>The regulation described herein and attached hereto is a true copy of the regulation adopted by the agency. ATTEST</i> Signature: <u>William F. Galvin</u> Date: <u>6/29/01</u></p> <p>Publication To be completed by the Regulations Division</p> <p>MASSACHUSETTS REGISTER NUMBER: <u>930</u> DATE: <u>9/14/01</u></p> <p>EFFECTIVE DATE: <u>9/14/01</u></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2">CODE OF MASSACHUSETTS REGULATIONS</th> </tr> <tr> <td style="width: 50%;">Remove these pages:</td> <td style="width: 50%;">Insert these pages:</td> </tr> <tr> <td>CMR: Vol:</td> <td></td> </tr> <tr> <td>181, 182</td> <td>181, 182</td> </tr> <tr> <td>205, 206</td> <td>205, 206</td> </tr> <tr> <td>250.72.18.5 - 250.72.18.8</td> <td>250.72.18.5 - 250.72.18.10</td> </tr> </table> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>A TRUE COPY ATTEST</p> <p><u>William F. Galvin</u></p> <p>WILLIAM FRANCIS GALVIN SECRETARY OF THE COMMONWEALTH</p> <p>9/23/01</p> </div>	CODE OF MASSACHUSETTS REGULATIONS		Remove these pages:	Insert these pages:	CMR: Vol:		181, 182	181, 182	205, 206	205, 206	250.72.18.5 - 250.72.18.8	250.72.18.5 - 250.72.18.10
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MA Rule Number	MA Rule Name	Code of Massachusetts Regulation Page Number	Disposition	Reason
7.00	Definitions	181-182	Withdraw	Superseded by MA Register Number 1035; Dated 9/23/05
7.02	U Plan Approval and Emission Limitations	205-206	Withdraw	Superseded by MA Register Number 1035; Dated 9/23/05 MassDEP will submit a complete and updated version of 310 CMR 7.02 for review and approval into SIP.
7.26	Industry Performance Standards	250.72.18.5 – 250.72.18.10	Withdraw	Superseded by MA Register Number 1035; Dated 9/23/05; Not part of the SIP

Massachusetts SIP submittal Dated September 14, 2006
Docket #474 & 475; Massachusetts Register Number: 1035; Date: 9/23/2005

<div style="text-align: center;">  <p>#475</p> <p>THE COMMONWEALTH OF MASSACHUSETTS William Francis Galvin Secretary of the Commonwealth</p> </div> <p>Regulation Filing To be completed by filing agency</p> <hr/> <p>CHAPTER NUMBER: <u>310 CMR 7.00</u></p> <hr/> <p>CHAPTER TITLE: <u>Air Quality Regulations; Environmental Results Program Certification</u></p> <hr/> <p>AGENCY: <u>Department of Environmental Protection</u></p> <hr/> <p>SUMMARY OF REGULATION: <i>State the general requirements and purposes of this regulation.</i> The Department is amending its regulation to include new requirements for stationary engines and turbines.</p> <hr/> <p>REGULATORY AUTHORITY: <u>M.G.L. c. 111 Sections 142A - 142M</u></p> <hr/> <p>AGENCY CONTACT: <u>Bob Donaldson</u> PHONE: <u>617-292-5619</u></p> <hr/> <p>ADDRESS: <u>One Winter St., 8th Floor, Boston, MA 02108</u></p> <hr/> <p>Compliance with M.G.L. c. 30A</p> <hr/> <p>EMERGENCY ADOPTION - <i>If this regulation is adopted as an emergency, state the nature of the emergency.</i></p> <hr/> <p><small>PRIOR NOTIFICATION AND/OR APPROVAL - If prior notification to and/or approval of the Governor, Legislature or others was required, list each notification, and/or approval and date, including notice to the Local Government Advisory Commission. Notice of April 29, 2004 to LGAC, MEPA, EPA, Mass Municipal Association, Dept. of Housing and Community Development, MA Historical Society, MA Association of Boards of Health, Division of Energy Resources, Metropolitan Area Planning Council, Dept of Public Health, Office of Commonwealth Development, and other agencies and interested parties. Notice appeared in Boston Globe and Springfield Republican - May 11, 2004. PUBLIC REVIEW - M.G.L. c. 30A, §§ 2 and/or 3 requires notice of the hearing or comment period be filed with the Secretary of the Commonwealth, published in appropriate newspapers, and sent to persons to whom specific notice must be given at least 21 days prior to such hearing or comment period. Date of public hearing or comment period: <u>Public Hearings June 22 & 23, 2004; Comments closed June 30,</u></small></p>	<p>FISCAL EFFECT - <i>Estimate the fiscal effect of the public and private sectors.</i> Same or less; requires current technology; replaces permitting with certification program. Increased fuel cost currently estimated at 2 cents per gallon. For the first and second year: _____ For the first five years: <u>Same as above with fuel costs expected to decrease.</u></p> <hr/> <p>No fiscal effect: _____</p> <hr/> <p>SMALL BUSINESS IMPACT - <i>State the impact of this regulation on small business. Include a description of reporting, record keeping and other compliance requirements as well as the appropriateness of performance versus design standards and whether this regulation duplicates or conflicts with any other regulation. If the purpose of this regulation is to set rates for the state, this section does not apply.</i> Fuel costs for those with emergency or other stationary engines or turbines. Costs will increase in the short term, but as supplies of ultra low sulfur fuel increase, costs should level off.</p> <hr/> <p>CODE OF MASSACHUSETTS REGULATIONS INDEX - <i>List key subjects that are relevant to this regulation:</i> Air Pollution Control Engines Turbines</p> <hr/> <p>PROMULGATION - <i>State the action taken by this regulation and its effect on existing provisions of the Code of Massachusetts Regulations (CMR) to repeal, replace or amend. List by CMR number:</i> 310 CMR 7.00 Amend</p> <hr/> <p>ATTESTATION - <i>The regulation described herein and attached hereto is a true copy of the regulation adopted by this agency. ATTEST:</i> SIGNATURE: <u>[Signature]</u> DATE: <u>8/23/05</u></p> <hr/> <p>Publication - <i>To be completed by the Regulations Division</i> MASSACHUSETTS REGISTER NUMBER: <u>#1035</u> DATE: <u>9/23/05</u> EFFECTIVE DATE: <u>9/23/05</u></p> <hr/> <p>CODE OF MASSACHUSETTS REGULATIONS Remove these pages: _____ Insert these pages: _____</p> <hr/> <p>SEE NEXT FILING FORM FOR PAGE INSTRUCTIONS.</p> <div style="border: 1px solid black; padding: 5px; text-align: center;"> <p>A TRUE COPY ATTEST <u>[Signature]</u> WILLIAM FRANCIS GALVIN SECRETARY OF THE COMMONWEALTH DATE <u>8/24/05</u> CLERK <u>[Signature]</u></p> </div>
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MA Rule Number	MA Rule Name	Code of Massachusetts Regulation Page Number	Disposition	Reason
	Table of Contents	3, 4,	Withdraw	Not part of the SIP
7.00	Statutory Authority; Legend	165-166	Withdraw	Superseded by MA Register Number 1053; Dated 6/2/06
7.00	MA Cities and Towns	167-168	Withdraw	Superseded by MA Register Number 1094; Dated 12/28/07
7.00	Definitions	171-188; 191-192.2; 195-201	EPA will act on all of the definitions with a few exceptions. Withdraw definitions of: "solvent metal degreasing" on page 195; "substantial modification" on page 196; "sulfur in fuel" on page 197; and "volatile organic compound" on page 199	"Solvent metal degreasing," "substantial modification," and "VOC" definitions replaced in 2010 submittal. "Sulfur in fuel" definition replaced in regional haze submittal. Pages 199-202 superseded by MA Register Number 1053; Dated 6/2/06
7.01	General Regulations to Prevent Air Pollution	202	Withdraw	Not intended to be part of SIP submittal

MA Rule Number	MA Rule Name	Code of Massachusetts Regulation Page Number	Disposition	Reason
7.02	U Plan Approval and Emission Limitations	202-221	Withdraw	Portions (pages 205-206.2 and 211-212) superseded by MA Register Number 1037 ; Dated 10/21/05 MassDEP will submit a complete and updated version of 310 CMR 7.02 for review and approval into SIP
7.03	U Plan Approval Exemption: Construction Requirements	221-227	Withdraw	Portions (pages 221-222) superseded by MA Register Number 1037 ; Dated 10/21/05 MassDEP will submit a complete and updated version of 310 CMR 7.03 for review and approval into SIP
7.04	U Fossil Fuel Utilization Facilities	227-230	Withdraw 310 CMR 7.04(2) and (4). EPA will act on the remainder.	More recent provisions (310 CMR 7.04(2) and (4)) being approved as part of 2008 submittal.
7.05	U Fuels All Districts	230-234	Withdraw 310 CMR 7.05(1)(a)1. & 7.05(1)(a)2. EPA will act on the remainder.	More recent sections of 310 CMR 7.05(1)(a)1. & 7.05(1)(a)2. were approved in regional haze submittal . Pages 233-234 superseded by MA Register Number 1053; Dated 6/2/06
7.06	U Visible Emissions	234-235	Withdraw 310 CMR 7.06(1)-(6)	310 CMR 7.06(1)-(6) excluding 7.06(1)(c) are approved in SIP and not intended to be part of SIP submittal (only 7.06(1)(c) was in the hearing package). Withdrawing 7.06(1)(c) until further documentation is developed
7.07	U Open Burning	235-236	Withdraw	Not intended to be part of SIP submittal
7.08	U Incinerators	238.9-240	Withdraw	Part of 111(d) Plan
7.12	U Source Registration	246.1	EPA will act on 310 CMR 7.12(2)(c), 7.12(3) and 7.12(4)	Approving 310 CMR 7.12(1) and 7.12(2)(a) and 7.12(2)(b) as part of 2008 submittal.
7.13	U Stack Testing	246.1-247	Withdraw	Not intended to be part of SIP submittal
7.14	U Monitoring Devices and Reports	247	Withdraw	Not intended to be part of SIP submittal
7.15	U Asbestos	247-250	Withdraw	MassDEP is not requesting rule substitution for this NESHAP.
7.16	U Reduction of Single Occupant Commuter Vehicle Use	250	Withdraw	Not intended to be part of SIP submittal
7.17	U Conversions to Coal	250.5	Withdraw	Not intended to be part of SIP submittal
7.18	U Volatile and Halogenated Organic Compounds	250.5-250.8.2	Withdraw 310 CMR 7.18(1)(b) which is not part of the SIP. EPA will act on the rest.	Portions (pages 250.7-250.8) superseded by MA Register Number 1037; Dated 10/21/05
7.18	U Volatile and Halogenated Organic Compounds	250.13	Withdraw	Updated solvent metal cleaning provisions included in June 1, 2010 submittal.
7.18	U Volatile and Halogenated Organic Compounds	250.14	Withdraw	Not intended to be part of SIP submittal
7.18	U Volatile and Halogenated Organic Compounds	250.15-250.16	EPA will act on 310 CMR 7.18(11)	
7.18	U Volatile and Halogenated Organic Compounds	250.16	Withdraw 310 CMR 7.18(12) graphic arts	Not intended to be part of SIP submittal
7.18	U Volatile and Halogenated Organic Compounds	250.23-250.32	EPA will act on.	
7.18	U Volatile and Halogenated Organic Compounds	250.35-250.38.2	EPA will act on.	

MA Rule Number	MA Rule Name	Code of Massachusetts Regulation Page Number	Disposition	Reason
7.19	U Reasonably Available Control Technology (RACT) for Sources of Oxides of Nitrogen (NOx)	250.41-42	EPA will act on.	
7.19	U Reasonably Available Control Technology (RACT) for Sources of Oxides of Nitrogen (NOx)	250.49-250.50	Withdraw 310 CMR 7.19(12)	Not intended to be part of SIP submittal EPA will act on 310 CMR 7.19(13)(a).
7.19	U Reasonably Available Control Technology (RACT) for Sources of Oxides of Nitrogen (NOx)	250.51	Withdraw 310 CMR 7.19(13)(b)	Not intended to be part of SIP submittal
7.19	U Reasonably Available Control Technology (RACT) for Sources of Oxides of Nitrogen (NOx)	250.52	Withdraw 310 CMR 7.19(13)(d)	Not intended to be part of SIP submittal EPA will act on 310 CMR 7.19(13)(c)
7.22	Sulfur Dioxide Emission Reductions for the Purpose of Reducing Acid Rain	250.61	Withdraw	Only includes last few lines of 310 CMR 7.22. Regulation is not in SIP.
7.24(1)-7.24(5)	U Organic Material Storage and Distribution	250.61-250.66	Withdraw 310 CMR 7.24(2), (3), and (5). EPA will act on 310 CMR 7.24(1) and (4).	Not intended to be part of SIP submittal EPA will act on 310 CMR 7.24(1) and (4). Pages 250.63-250.66 superseded by MA Register Number 1053; Dated 6/2/06
7.25	U Best Available Controls for Consumer and Commercial Products	250.71-250.72	Withdraw	Updates to this rule included in June 1, 2010 submittal
7.25	U Best Available Controls for Consumer and Commercial Products	250.72.5-250.72.6	Withdraw	Updates to this rule included in June 1, 2010 submittal
7.26	Industry Performance Standards	250.72.13-250.72.14	Withdraw	Not part of the SIP
7.26	Industry Performance Standards	250.72.17-250.72.18	Withdraw	Not part of the SIP
7.26	Industry Performance Standards	250.72.18.3-250.72.18.14	Withdraw	Not part of the SIP Portions (pages 250.72.18.7-250.72.18.14) superseded by MA Register Number 1037; Dated 10/21/05
7.27	NOx Allowance Program	250.72.18.14-250.72.18.16	Withdraw	310 CMR 7.27 was the NOx allowance program that applied for control periods 1999-2002. It was superseded by 310 CMR 7.28 for control periods 2003-2008.
7.27	NOx Allowance Program	250.72.23-250.72.24	Withdraw	310 CMR 7.27 was the NOx allowance program that applied for control periods 1999-2002. It was superseded by 310 CMR 7.28 for control periods 2003-2008.
7.27	NOx Allowance Program	250.72.29-250.72.32	Withdraw	310 CMR 7.27 was the NOx allowance program that applied for control periods 1999-2002. It was superseded by 310 CMR 7.28 for control periods 2003-2008.
7.28	NOx Allowance Trading Program	250.72.45-250.72.48	Withdraw	A more recent amendment to this rule with state effective date 5/4/07 was approved on 12/3/07 (72 FR 67854). This amendment indicates that the MA CAIR rule 310 CMR 7.32 supersedes 310 CMR 7.28 beginning with the control period in 2009.
7.29	Emissions Standards for Power Plants	250.72.57-250.72.58	Withdraw	Superseded by MA Register Number 1037(dated 10/21/05) More recent version approved into the SIP with Regional Haze rulemaking (notice signed on 9/12/12)


MA Rule Number	MA Rule Name	Code of Massachusetts Regulation Page Number	Disposition	Reason
7.37	MB High Occupancy Vehicle Lanes	250.85-250.88	Withdraw	Public hearing only included two reg citation corrections to the regulation that is vastly different from SIP-approved version
7.38	Certification of Tunnel Ventilation Systems in the Metropolitan Boston Air Pollution Control District	250.91-250.92	Withdraw	More recent version already approved into the SIP (78 FR 8818; 2/15/08)
7.54	U Large Combustion Emission Units	250.102.9-250.102.12	Withdraw	Not part of the SIP MassDEP will submit a complete and updated version of 310 CMR 7.54 for review and approval into SIP.
7.60	U Severability	250.102.12	Withdraw	Not intended to be part of SIP submittal
Appendix A	EMISSION OFFSETS AND NONATTAINMENT REVIEW	250.111-250.114	Withdraw	MassDEP will submit a complete and updated version of 310 CMR 7.02 and Appendix A for review and approval into SIP.
Appendix C	OPERATING PERMIT AND COMPLIANCE PROGRAM	250.129-132	Withdraw	Not part of the SIP MassDEP will submit for approval under the authority of 40 CFR part 70 along with GHG tailoring amendments.
Appendix C	OPERATING PERMIT AND COMPLIANCE PROGRAM	250.139-140	Withdraw	Not part of the SIP MassDEP will submit for approval under the authority of 40 CFR part 70 along with GHG tailoring amendments.
Appendix C	OPERATING PERMIT AND COMPLIANCE PROGRAM	250.145-148	Withdraw	Not part of the SIP MassDEP will submit for approval under the authority of 40 CFR part 70 along with GHG tailoring amendments.

Massachusetts SIP submittal Dated September 14, 2006
Massachusetts Register Number: 1037; Date: 10/21/2005

<div style="text-align: center;">  <p>#475</p> <p>THE COMMONWEALTH OF MASSACHUSETTS William Francis Galvin Secretary of the Commonwealth</p> </div> <p>Notice of Correction Regulation Filing: <i>To be completed by filing agency</i></p> <hr/> <p>CHAPTER NUMBER: <u>310 CMR 7.00</u></p> <hr/> <p>CHAPTER TITLE: <u>Air Pollution</u></p> <hr/> <p>AGENCY: <u>Department of Environmental Protection</u> ORIGINAL PUBLICATION REFERENCE: <u>Register Number: 1035</u> <u>Date: 9/23/05</u></p> <hr/> <p>SUMMARY OF CORRECTION: See attached</p> <hr/> <p>AGENCY CONTACT: <u>Donald Squires</u> PHONE: <u>617-292-5618</u></p> <hr/> <p>ADDRESS: <u>8th Floor One Winter Street Boston</u></p> <hr/> <p>Publication - <i>To be completed by the Regulations Division</i></p> <hr/> <p>MASSACHUSETTS REGISTER NUMBER: <u>1037</u> DATE: <u>10/21/05</u></p> <hr/> <p>EFFECTIVE DATE: <u>9/23/05</u></p> <hr/> <p>CODE OF MASSACHUSETTS REGULATIONS</p> <table style="width: 100%;"> <tr> <td style="width: 50%;"><u>Remove these pages:</u></td> <td style="width: 50%;"><u>Insert these pages:</u></td> </tr> </table> <hr/> <p style="text-align: center;">See Next Page for Filing Instructions</p> <div style="text-align: center; margin-top: 20px;"> <p>A TRUE COPY ATTEST</p>  <p>WILLIAM FRANCIS GALVIN SECRETARY OF THE COMMONWEALTH 10/4/05 DATE CLERK</p> </div>	<u>Remove these pages:</u>	<u>Insert these pages:</u>	<table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p><u>Remove these pages:</u></p> <p>205 - 206 211 - 212 221 - 222 250.7 - 250.8 250.72.18.7 - 250.72.18.14 250.72.57 - 250.72.58 250.102.9 - 250.102.10</p> </td> <td style="width: 50%; vertical-align: top;"> <p><u>Insert these pages:</u></p> <p>205 - 206.2 211 - 212 221 - 222 250.7 - 250.8 250.72.18.7 - 250.72.18.14 250.72.57 - 250.72.58 250.102.9 - 250.102.10</p> </td> </tr> </table>	<p><u>Remove these pages:</u></p> <p>205 - 206 211 - 212 221 - 222 250.7 - 250.8 250.72.18.7 - 250.72.18.14 250.72.57 - 250.72.58 250.102.9 - 250.102.10</p>	<p><u>Insert these pages:</u></p> <p>205 - 206.2 211 - 212 221 - 222 250.7 - 250.8 250.72.18.7 - 250.72.18.14 250.72.57 - 250.72.58 250.102.9 - 250.102.10</p>
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MA Rule Number	MA Rule Name	Code of Massachusetts Regulation Page Number	Disposition	Reason
7.02	U Plan Approval and Emission Limitations	205-206.2	Withdraw	MassDEP will submit a complete and updated version of 310 CMR 7.02 for review and approval into SIP.
7.02	U Plan Approval and Emission Limitations	211-212, 221	Withdraw	MassDEP will submit a complete and updated version of 310 CMR 7.02 for review and approval into SIP.
7.03	U Plan Approval Exemption: Construction Requirements	221-222	Withdraw	MassDEP will submit a complete and updated version of 310 CMR 7.03 for review and approval into SIP.
7.18	U Volatile and Halogenated Organic Compounds	250.7-250.8	EPA will act on.	
7.26	Industry Performance Standards	250.72.18.7 – 250.72.18.8	Withdraw	Not part of the SIP
7.26	Industry Performance Standards	250.72.18.9 – 250.72.18.14	Withdraw	Not part of the SIP
7.27	NOx Allowance Program	250.72.18.14	Withdraw	310 CMR 7.27 was the NOx allowance program that applied for control periods 1999-2002. It was superseded by 310 CMR 7.28 for control periods 2003-2008.
7.29	Emissions Standards for Power Plants	250.72.57-250.72.58	Withdraw	More recent version approved into the SIP with Regional Haze rulemaking. Notice signed on 9/12/12.
7.54	U Large Combustion Emission Units	250.102.9-250.102.10	Withdraw	Not part of the SIP



Massachusetts SIP submittal Dated September 14, 2006
Docket #489; Massachusetts Register Number: 1053; Date: 6/2/2006

<div style="text-align: center;">  <p>#489</p> <p>THE COMMONWEALTH OF MASSACHUSETTS William Francis Galvin Secretary of the Commonwealth</p> </div> <p>Regulation Filing <i>To be completed by filing agency</i></p> <hr/> <p>CHAPTER NUMBER: <u>310 CMR 7.00</u></p> <hr/> <p>CHAPTER TITLE: <u>Air Pollution Control Regulations</u></p> <hr/> <p>AGENCY: <u>Department of Environmental Protection</u></p> <hr/> <p>SUMMARY OF REGULATION: <i>State the general requirements and purposes of this regulation.</i> The Department is amending its regulations by changing the definition of Volatile Organic Compounds, revising the visible emission requirements, and clarifying when tank trucks must be tested.</p> <hr/> <p>REGULATORY AUTHORITY: <u>M.G.L. c. 111 Sections 142A-142M</u></p> <hr/> <p>AGENCY CONTACT: <u>Bob Donaldson</u> PHONE: <u>617-292-5619</u></p> <hr/> <p>ADDRESS: <u>One Winter Street, 8th Floor, Boston, Massachusetts 02108</u></p> <hr/> <p>Compliance with M.G.L. c. 30A</p> <hr/> <p>EMERGENCY ADOPTION - <i>If this regulation is adopted as an emergency, state the nature of the emergency.</i></p> <hr/> <p>PRIOR NOTIFICATION AND/OR APPROVAL - <i>If prior notification to and/or approval of the Governor, Legislature or others was required, list each notification, and/or approval and date, including notice to the Local Government Advisory Commission.</i> Notice of August 23 and 31, 2005 to LGAC, MEPA, EPA, Mass. Municipal Association, Dept. of Housing and Community Development, MA Historical Society, Division of Energy Resources, Dept. of Public Health, and other agencies and interested parties. Notice published in Boston Globe 9/8/05 and Springfield Republican 9/9/05.</p> <hr/> <p>PUBLIC REVIEW - <i>M.G.L. c. 30A, §§ 2 and/or 3 requires notice of the hearing or comment period be filed with the Secretary of the Commonwealth, published in appropriate newspapers, and sent to persons to whom specific notice must be given at least 21 days prior to such hearing or comment period.</i> Date of public hearing or comment period: <u>Public Hearings Oct. 18 & 19, 2005; Comments closed Oct. 28, 2005</u></p>	<p>FISCAL EFFECT - <i>Estimate the fiscal effect of the public and private sectors.</i> For the first and second year: <u>Minor for visible emissions. VOC definition change may have positive impact</u> For the first five years: _____ No fiscal effect: <u>Tank truck testing</u></p> <p>SMALL BUSINESS IMPACT - <i>State the impact of this regulation on small business. Include a description of reporting, record keeping and other compliance requirements as well as the appropriateness of performance versus design standards and whether this regulation duplicates or conflicts with any other regulation. If the purpose of this regulation is to set rates for the state, this section does not apply.</i> Visible emission requirements are not applicable to small businesses.</p> <hr/> <p>CODE OF MASSACHUSETTS REGULATIONS INDEX - <i>List key subjects that are relevant to this regulation:</i> Air Pollution Control Volatile Organic Compounds Visible Emissions Tank Truck Testing</p> <p>PROMULGATION - <i>State the action taken by this regulation and its effect on existing provisions of the Code of Massachusetts Regulations (CMR) to repeal, replace or amend. List by CMR number:</i> 310 CMR 7.00 Amend</p> <hr/> <p>ATTESTATION - <i>The regulation described herein and attached hereto is a true copy of the regulation adopted by this agency. ATTEST:</i> SIGNATURE: <u>[Signature]</u> DATE: <u>May 18, 2006</u></p> <hr/> <p>Publication - <i>To be completed by the Registrar's Division</i> MASSACHUSETTS REGISTER NUMBER: <u>1053</u> DATE: <u>6/2/06</u></p> <hr/> <p>EFFECTIVE DATE: <u>6/2/06</u></p> <p>CODE OF MASSACHUSETTS REGULATIONS <i>Remove these pages:</i> <u>165, 166</u> <u>199 - 202</u> <u>233 - 236</u> <u>250.63 - 250.66</u> <i>Insert these pages:</i> <u>165, 166</u> <u>199 - 202</u> <u>233 - 236</u> <u>250.63 - 250.66</u></p> <div style="text-align: right; border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;"> <p>A TRUE COPY ATTEST <u>[Signature]</u> WILLIAM FRANCIS GALVIN SECRETARY OF THE COMMONWEALTH DATE: <u>6/2/06</u></p> </div>
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MA Rule Number	MA Rule Name	Code of Massachusetts Regulation Page Number	Disposition	Reason
7.00	Statutory Authority; Legend; MA Cities and Towns	165-166	Withdraw	Not part of the SIP
7.00	Definitions	199-201	EPA will act on all of the definitions with a few exceptions. Withdraw definitions of "volatile organic compound" on page 199	Pages 199-200 superseded by MA Register Number 1056; Dated 7/14/06
7.01	General Regulations to Prevent Air Pollution	202	Withdraw	Not intended to be part of SIP submittal
7.02	U Plan Approval and Emission Limitations	202	Withdraw	MassDEP will submit a complete and updated version of 310 CMR 7.02 for review and approval into SIP.
7.05	U Fuels All Districts	233-234	EPA will act on.	
7.06	U Visible Emissions	234-235	Withdraw 310 CMR 7.06(1)-(6)	Pages 234.1-236 superseded by MA Register Number 1056; Dated 7/14/06
7.07	U Open Burning	235-236	Withdraw	Not intended to be part of SIP submittal

MA Rule Number	MA Rule Name	Code of Massachusetts Regulation Page Number	Disposition	Reason
7.24(1)-7.24(5)	U Organic Material Storage and Distribution	250.63-250.66	Withdraw 310 CMR 7.24(2), (3), and (5). EPA will act on 310 CMR 7.24(1) and (4).	310 CMR 7.24 (2), (3) and (5) were not intended to be part of SIP submittal. EPA will act on 310 CMR 7.24(1) and (4).

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<div style="text-align: center;">  <p>#489</p> <p>THE COMMONWEALTH OF MASSACHUSETTS William Francis Galvin Secretary of the Commonwealth</p> </div> <p>Notice of Correction Regulation Filing <i>To be completed by filing agency</i></p> <hr/> <p>CHAPTER NUMBER: <u>310 CMR 7.00</u></p> <p>CHAPTER TITLE: <u>7.00 Air pollution Control Regulations</u></p> <p>AGENCY: <u>Department of Environmental Protection</u></p> <p>ORIGINAL PUBLICATION REFERENCE: <u>Register Number: 1053 Date: 6/2/06</u></p> <p>SUMMARY OF CORRECTION: See attached</p> <p>AGENCY CONTACT: <u>Bob Donaldson</u> PHONE: <u>617-292-5619</u></p> <p>ADDRESS: <u>5th Floor One Winter Street Boston</u></p> <p><i>Publication - To be completed by the Regulations Division</i></p> <hr/> <p>MASSACHUSETTS REGISTER NUMBER: <u>1056</u> DATE: <u>7/14/06</u></p> <p>EFFECTIVE DATE: <u>6/2/06</u></p> <p>CODE OF MASSACHUSETTS REGULATIONS <i>Remove these pages: Insert these pages:</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> 199,200 234.1 - 236 </td> <td style="width: 50%; border: none;"> 199,200 234.1 - 236 </td> </tr> </table> <div style="text-align: center; margin-top: 20px;"> <div style="border: 1px solid black; padding: 5px; display: inline-block;"> <p>A TRUE COPY ATTEST</p> <p><i>William Francis Galvin</i></p> <p>WILLIAM FRANCIS GALVIN SECRETARY OF THE COMMONWEALTH</p> <p>6/30/06 CLERK</p> </div> </div>	199,200 234.1 - 236	199,200 234.1 - 236	<div style="text-align: center;">  </div>
199,200 234.1 - 236	199,200 234.1 - 236		

MA Rule Number	MA Rule Name	Code of Massachusetts Regulation Page Number	Disposition	Reason
7.00	Definitions	199-200	EPA will act on all of the definitions with a few exceptions. Withdraw definitions of "volatile organic compound" on page 199	
7.06	U Visible Emissions	234.1-235	Withdraw 310 CMR 7.06(1)-(6)	310 CMR 7.06(1)-(6) excluding 7.06(1)(c) are approved in SIP and not intended to be part of SIP submittal (only 7.06(1)(c) was in the hearing package). Withdrawing 7.06(1)(c) until further documentation is developed
7.07	U Open Burning	236	Withdraw	Regulation not addressed in public notice.